

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

WILLIAM SCOTT HOWARD, SR.,

Plaintiff,

VS.

No. 24-1222-STA-jay

CHESLEA M. GOMEZ,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE FOR DISMISSAL**

Before the Court is the United States Magistrate Judge's Report and Recommendation that the complaint filed in this matter be dismissed *sua sponte*. Magistrate Judge Jon A. York submitted his Report and Recommendation on October 9, 2024. (ECF No. 7.) Plaintiff has not filed objections to the Magistrate Judge's Report within the requisite time. When a party objects within the allotted time, the Court "shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b) (1); *see also* Fed. R. Civ. P. 72(b). However, the Court need not review those aspects of the report and recommendation to which no specific objection is made, as in the present case, and may adopt the findings and rulings of the magistrate judge without further analysis. *Thomas v. Arn*, 474 U.S. 140, 150, 155 (1985).

Having reviewed the Magistrate Judge's Report and Recommendation and the entire record of the proceedings, the Court hereby **ADOPTS** the Report and Recommendation in its entirety. The Court finds that Magistrate Judge York correctly determined that the complaint

should be dismissed pursuant to Rule 12(b)(1) because Plaintiff failed to make any factual allegations against Defendant and failed to articulate any cause of action. Accordingly, this matter is hereby **DISMISSED** without prejudice.

IT IS SO ORDERED.

s/ **S. Thomas Anderson**
S. THOMAS ANDERSON
UNITED STATES DISTRICT JUDGE

Date: October 30, 2024